

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MICHAEL-STEVE COX,

Case No. 3:22-cv-00047-ART-CSD

Plaintiff,

ORDER

v.

ATTORNEY GENERAL FORD, *et al.*,

Defendants.

Pro se Plaintiff Michael-Steve Cox (“Cox”) brings this action under the Freedom of Information Act (“FOIA”) against Nevada Attorney General Ford and the State of Nevada (ECF No. 1-1). Before the Court is the Report and Recommendation (“R&R” or “Recommendation”) of United States Magistrate Judge Craig S. Denney (ECF No. 11), recommending the dismissal of this action without prejudice and denying as moot Cox’s Motion Regarding Removal of FOIA Claims to the Eighth Judicial District Court. (ECF No. 9). Cox had until November 21, 2022 to file an objection. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts the R&R, dismisses the action without prejudice, and denies as moot Cox’s Motion Regarding Removal. (ECF No. 9).

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party fails to object to a magistrate judge’s recommendation, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one

1 or both parties file objections to the findings and recommendations.”) (emphasis
2 in original); Fed. R. Civ. P. 72, Advisory Committee Notes (1983) (providing that
3 the Court “need only satisfy itself that there is no clear error on the face of the
4 record in order to accept the recommendation.”).

5 Because there is no objection, the Court need not conduct de novo review,
6 and is satisfied Judge Denney did not clearly err. The Court incorporates Judge
7 Denney’s analysis by reference here. Judge Denney recommends dismissing this
8 action without prejudice because Cox has not paid the \$402 filing fee as
9 previously ordered by this Court in ECF No. 10.

10 The Court agrees with Magistrate Judge Denney. Having reviewed the
11 Report and Recommendation and the record in this case, the Court will adopt
12 the Report and Recommendation in full.

13 It IS THEREFORE ORDERED that Judge Denney’s Report and
14 Recommendation (ECF No. 11) is accepted and adopted in full.

15 IT IS FURTHER ORDERED that this action is dismissed without prejudice.

16 IT IS FURTHER ORDERED that Cox’s Motion Regarding Removal of FOIA
17 Claims is denied as moot. (ECF No. 9).

18 The Clerk of Court is respectfully directed to close this case.

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20 DATED THIS 13th Day of January 2023.

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23 ANNE R. TRAUM
24 UNITED STATES DISTRICT JUDGE
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